

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:09-CR-54
v.)	Collier/Lee
)	
JAMES CRAWLEY)	

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count Five of the five-count Indictment (2) accept Defendant's plea of guilty to the charge in Count Five that is of possession of a firearm in furtherance of a drug trafficking crimes charged in Counts Two, Three, and Four in violation of 18 U.S.C. § 924(c); (3) adjudicate Defendant guilty of the charge in Count Five, that is of possession of a firearm in furtherance of a drug trafficking crimes charged in Counts Two, Three, and Four in violation of 18 U.S.C. § 924(c); (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) find Defendant shall remain in custody until sentencing in this matter [Doc. 15]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 15] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count Five of the Indictment is **GRANTED**;

- (2) Defendant's plea of guilty to the charge in Count Five, that is of possession of a firearm in furtherance of a drug trafficking crimes charged in Counts Two, Three, and Four in violation of 18 U.S.C. § 924(c) is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charge in Count Five, that is of possession of a firearm in furtherance of a drug trafficking crimes charged in Counts Two, Three, and Four in violation of 18 U.S.C. § 924(c);
- (4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
- (5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Thursday, September 24, 2009 at 9:00 a.m.** before the Honorable Curtis L. Collier.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE